

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 RAYMOND GARCIA, *et al.*,

5 Plaintiffs,

6 v.

7 SERVICE EMPLOYEES INTERNATIONAL
8 UNION, *et al.*,

9 Defendants.

Case No. 2:17-cv-01340-APG-NJK

**ORDER GRANTING (1) MOTION TO
EXTEND TIME TO FILE REPLY, AND
(2) MOTION TO EXCEED PAGE LIMIT**

(ECF Nos. 43, 45)

10
11 The defendants have moved for one additional court day (until July 17) to file their reply
12 in support of their motion to dismiss. ECF No. 45. The plaintiffs' counsel opposes this request
13 because he feels the underlying motion is "frivolous" and the extra time "will only allow
14 Defendants to further avoid adjudication of this matter" ECF No. 48 at 3.¹ The plaintiffs'
15 counsel does not explain how one extra day will significantly delay resolution of this case. His
16 refusal to stipulate to this extension does not represent the level of professionalism expected of
17 counsel in this court. Counsel is reminded that, while passion for one's case is a good thing,
18 lawyers are to act professionally and civilly towards each other and the public. The plaintiffs
19 have demonstrated no prejudice from a one-day extension of the deadline.

20 The plaintiffs move to exceed the 24-page limit for their opposition to the pending motion
21 to dismiss. ECF No. 43. While this matter may, as the plaintiffs contend, be "complex," the page
22 limits set forth in Local Rule 7-3 were established knowing that federal court cases often are
23 complex. Even complex issues may be addressed within the 24-page limit. That is why "[t]he
24 court looks with disfavor on motions to exceed page limits, so permission to do so will not be
25 routinely granted." LR 7-3(c).

26
27 ¹ It is troubling that the plaintiffs' counsel rejected the defendants' reasonable request for a brief
28 extension, while at the same asking the court for permission to exceed the page limit for his
opposition brief. ECF No. 43.

1 The plaintiffs have already filed their too-lengthy opposition (ECF No. 44); thus their
2 motion seeks forgiveness rather than permission. Having briefly reviewed the opposition, it is
3 apparent that it could have been filed within the 24-page limit. The plaintiffs' prior briefs
4 demonstrate that more careful editing would have resulted in a proper-length brief. Nevertheless,
5 the defendants appear nearly ready to respond to the opposition, and if I strike the opposition and
6 require a shorter one, that will delay the briefing period. Therefore, while I am inclined to deny
7 the motion to exceed the page limit, in the interests of moving this case forward and not wasting
8 further time and resources, I will grant it. The plaintiffs' counsel is cautioned not to make a
9 similar request in the future without good cause.

10 IT IS THEREFORE ORDERED that the defendants' motion to extend time (ECF No. 45)
11 is **GRANTED**.

12 IT IS FURTHER ORDERED that the defendants' motion to exceed page limit (ECF No.
13 43) is **GRANTED**.

14 Dated: July 12, 2017.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE